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ABSTRACT

Reprinted in this document are day care center licensing standards adopted and codified, effective August 1983, by the Illinois Department of Children and Family Services and amended June 1984 and January 1985. Sections of the report concern purpose, definitions, effective date of standards, application for license and license renewal, provisions pertaining to the license and to permits, organization and administration, finances, general requirements for personnel, the child care director, child care workers and group workers, child care assistants, use of students, service staff, substitutes and volunteers, background inquiry, admission and discharge procedures, discipline, personal care and hygiene, program, equipment and materials, grouping and staffing, nutrition, night care, children with special needs, infants and toddlers, school-age children, health requirements for children, transportation, plant and equipment, records and reports, confidentiality of records and information, records retention, and severability of Part 407: licensing standards for day care centers. Appendices provide meal pattern charts for children 0 to 12 months of age and for children over 1 year old, lists of minimum equipment and supplies for preschool and infant and toddler programs, and a list of licensed or registered professions. (RH)

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PS 015663

ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES
TEXT OF ADOPTED RULES
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE
PART 407: LICENSING STANDARDS FOR DAY CARE CENTERS

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AUTHORITY: Implementing and authorized by The Child Care Act of 1969 (Ill. Rev. Stat. 1983, ch. 23, pars 2211 et. seq.).

SOURCE: Adopted and codified at 7 Ill. Reg. 9215, effective August 15, 1983; amended at 8 Ill. Reg., effective June 15, 1984; amended at 8 Ill. Reg., effective January 1, 1985.

Section 407.1 Purpose

a) The purpose of this Part is to prescribe the standards for licensure as a day care center and to describe how to apply for a license.

b) The licensing standards set forth in this Part are applicable to day care centers as defined in the Child Care Act of 1969.

Section 407.2 Definitions

"Accredited" means accredited by the North Central Association of Schools and Colleges, its regional counterparts, or the National Accreditation Council.

"Attendance" means the total number of children present at any one time.

"Authorized representative of the Department" means a licensing representative or any person acting on behalf of the Director of the Department.

"Child" means any person under 18 years of age.

"Child care facility" means any person, group of persons, agency, association, or organization, which arranges for or cares for children unrelated to the operator of the facility, apart from the parents in any facility as defined in the Act. Child care facilities may be established for profit or not-for-profit.
"Child care facility" is further defined in paragraph 2.05 in The Child Care Act of 1969.

"Child care staff" means all staff members providing direct care to children.

"Child care worker" means a staff member responsible for a group of infants, toddlers, or preschool children.

"Consultant" means a person providing technical assistance or advice regarding any aspect of the total operation of the program.

"Day care center" means any child care facility which regularly provides day care for less than 24 hours per day for more than 8 children in a family home, or more than 3 children in a facility other than a family home.
Exclusions from this definition are listed in Section 2.09 of the Child Care Act of 1969.

"Department" means the Illinois Department of Children and Family Services.

"Discipline" means the ongoing process of helping children to develop inner controls so that they can manage their own behavior in socially approved ways.

"Employee" means a paid member of the staff.

"Enrollment" means the total number of children served by the facility on either a part-time or full-time basis.

"Governing body," as used in this Part, means the board of directors of a corporation; otherwise, the term means the owner(s) or other person(s), agency, association or organization legally responsible for the operation of the day care agency.

"Group" means a specialized number of children who remain together at least 60 percent of the time they are at the facility.

"Group worker" means a staff member responsible for a group of school-age children.

"Guardian" means the guardian of the person of a minor.

"Infant" means a child from 6 weeks to 15 months of age.

"License" means a document issued by the Department of Children and Family Services which authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child Care Act of 1969.

"License study", as used in this Part, means the review of an application for license, on-site visit(s), interviews, and the collection and review of supporting documents to determine compliance with the Child Care Act of 1969 and the standards prescribed by this Part.

"Licensee" means an individual, agency, or organization who holds a license or permit issued by the Department of Children and Family Services.

"Licensing representative", for the purpose of this Part, means Department staff authorized under the Child Care Act of 1969 to examine facilities for licensure.

"Licensed capacity" means the maximum number of children permitted in the facility at any one time.

"Newly employed" means a person employed within the facility subsequent to the adoption of these standards.

"Parent(s)", as used in this Part, means person(s) assuming legal responsibility for the care and protection of the child on a 24-hour basis; includes guardian or legal custodian.

"Permit" as used in this Part, means a one-time only document issued by the Department of Children and Family Services for a six-month period to allow the individual(s), agency, or organization to become eligible for a license.

"Physician" means a person licensed to practice medicine in the State of Illinois.

"Program" means all activities provided for the children during their hours of attendance in the facility.

"Related" means any of the following relationships by blood, marriage, or adoption: parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, or first cousin.

"Related services" refers to, but is not limited to, supportive service (psychological, medical, social, or health) for children in a facility.

"Resource personnel" means physicians, nurses, psychologists, social workers, speech therapists, physical and occupational therapists, educators and other technical and professional persons whose expertise is utilized in providing specialized services to children with special needs.

"Resources" may include related services mentioned above and community agencies such as, but not limited to, libraries, university laboratories and their professional staffs, audiovisual materials, museums, and parks.

"School-age children" means children from 6 to 18 years of age.

"Service staff" means any staff member providing indirect care and services to the children in the facility such as driver, cook, janitor, clerical staff.

"Services to children with special needs" means services to children who exhibit one or more of the following characteristics as confirmed by clinical evaluation:

Visual impairment: the child's visual impairment is such that he or she cannot develop to his or her potential without special services.

Hearing impairment: the child's residual hearing is not sufficient to enable him or her to understand the spoken word and to develop language, thus causing extreme deprivation in learning and communication; or the child exhibits a hearing loss which prevents full awareness of environmental sounds and spoken language, limiting normal language acquisition and learning.

Physical or health impairment: the child exhibits a physical or health impairment which requires adaptation of the physical plant.

Speech and/or language impairment: the child exhibits deviations of speech and/or language processes which are outside the range of acceptable variation within a given environment and which prevent full social development.

Learning disability: the child exhibits one or more deficits in the essential processes of perception, conceptualization, language, memory, attention, impulse control or motor function.

Behavioral disability: the child exhibits an effective disability and/or maladaptive behavior which significantly interferes with his learning and/or social functioning.

Mental impairment: the child's intellectual development, mental capacity, and/or adaptive behavior are markedly delayed. Such mental impairment may be mild-moderate, severe or profound.

"Staff" means all individuals who are in contact with children in a day care center.

"Swimming pool," for purposes of this Part, means any natural or artificial basin of water intended for public swimming or recreational bathing which exceeds two feet six inches (2'6") in depth. The term includes bathing beaches and pools at private residences when used for children enrolled in a child care facility.

"Toddler" means a child from 15 months to 2 years of age. The term may include a child up to 30 months of age depending upon physical or social development.

"Wading pool," for purposes of this Part, means any natural or artificial basin of water less than two feet six inches (2'6") in depth which is intended for recreational bathing, water play or similar activity. The term includes recessed areas less than two feet six inches in depth in swimming pools which are designated primarily for children.

Section 407.3 Effective Date of Standards

The standards prescribed in this Part shall become effective upon the date they are officially adopted and published and shall apply immediately to all facilities which have never been licensed. Day care centers licensed at the time this Part is officially adopted and published shall have one calendar year to comply with the new or revised standards.

Section 407.4 Application for License

a) The application for license shall be completed by the officers of the governing body of the day care center, or its authorized representative, on forms prescribed and furnished by the Department.

b) Attached to the application shall be:

1) Articles of incorporation and by-laws, if incorporated, indicating that the center's corporate status is in good standing with the Illinois Secretary of State;

2) Statement of purpose(s) and policies as required by Section 407.8c;

3) List of officers, board members and committees of the governing body;

4) Three favorable personal references for each member of the governing body attesting to their character, reputation, and ability to assume responsibility for the services to be offered by the day care center;

5) Annual operating budget showing anticipated expenses and income;

6) Staffing plan which includes job descriptions and the qualifications of the staff.

c) The license shall be issued when the standards prescribed by this Part have been met. Upon receipt of an application for a license, the Department shall conduct a license study in order to determine that the day care center meets licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The applicant shall receive a copy of the license study upon written request and payment of copying costs.

d) A new application shall be filed:

1) When an application for license has been withdrawn, and the center seeks to reapply;

2) When there is a change of address of the day care center;

3) When there is a change of name, ownership or corporate status of the center; or

4) When the Department has revoked or refused to renew a license, and a new license is sought.

e) Approval of the Department is required to effect changes in the license capacity or the ages of children served in conformance with the requirements of Section 407.23.

Section 407.5 Application for Renewal of License

a) Application forms for license renewal shall be mailed to the day care center by the Department six months prior to the expiration date of the license.

b) The application for the renewal of a day care center license must be completed, signed by the governing body or its authorized representative, and submitted to the Department three months prior to the expiration date of the current license for the application to be considered timely and sufficient. In addition, revisions in items required by Section 407.4b which have not previously been submitted to the Department shall accompany the application for the renewal of a license.

c) When a licensed day care center seeks to change its name, address, corporate status or ownership, a new application reflecting the revised

status must be completed, signed by the governing body or its authorized representative, and submitted to the Department thirty days prior to the effective date of the change(s) for the application to be considered timely and sufficient. In addition, a change of name, corporate status or ownership shall be documented by the filing of a copy of the amended articles of incorporation or ownership agreement with the Department within thirty days of its effective date.

d) *When a licensee has made timely and sufficient application for renewal of a license or a new license with reference to any activity of a continuing nature and the Department fails to render a decision on the application for renewal of the license prior to the expiration date of the license, the existing license shall continue in full force and effect for up to thirty (30) days until the final Department decision has been made. Upon a showing of good cause by the licensee or the Department, the Department shall further extend the period in which such decision must be made in individual cases for up to 30 days. "Good cause" includes but is not limited to shortages of staff or forced relocation of the center. Both the request for the second extension and the Department's decision on that request shall be in writing.*

e) Upon receipt of the application for license renewal, the Department shall conduct a license study in order to determine that the day care center continues to meet licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The licensee shall receive a copy of the license study upon written request and payment of copying costs.

Section 407.6 Provisions Pertaining to the License

a) A day care center license is valid for 2 years unless revoked by the Department or voluntarily surrendered by the licensee.

b) The license shall not be transferred or transmitted to another person, organization, or sponsor.

c) The license shall not be valid for an address other than the address shown on the license.

d) The current license shall be displayed at the facility at all times.

e) There shall be no fee or charge for the license.

f) The number of children specified on the license shall be the maximum in attendance at the center at any one time.

g) The facility shall operate within the license capacity, ages of children served, and areas used for child care as specified on the license document.

h) Unless a day care center is in compliance with the standards prescribed by this Part, it shall not expand its services or increase its licensed capacity.

(Source: Amended at 8 Ill. Reg., effective June 15, 1984.)

Section 407.7 Provisions Pertaining to Permits

a) A permit shall not be issued prior to the following:

1) Completion of the application for license and submission to the Department;

2) Employment of child care director who meets the standards set forth in Section 407.10 and development of a projected staffing plan indicating the timetable by which qualified staff shall be hired;

3) Fire and sanitation clearances required by Section 407.31c documented by a letter or certificate issued by the agency which conducted the inspection;

4) Proof of Public liability insurance as required by Section 407.8(i) (such proof may consist of, but is not limited to, a copy of an insurance policy, binder or certificate, or a letter from the insurance carrier);

5) Plan developed for emergency medical care as required by Section 407.8(c)(2)(i);

6) Plan developed for meeting the nutrition and food service requirements of Section 407.24;

7) Furnishings and equipment have been acquired for the number of children to be served the six month permit period in accordance with Appendix C.

8) Medical reports as required by Section 407 and character references as required by Section 407.32(c)(2) on file at the center for employed staff;

9) Established procedures and forms for records and reports required by Sections 407.32.

10) A written plan which indicates that requirements for a license shall be met within the permit period; and

11) Demonstration of financial capability through an annual projected budget showing anticipated operating expenses and income.

b) A permit shall not be issued retroactively.

c) The permit shall not be renewable.

d) The permit shall not be transferred or transmitted to another person, organization, or sponsor.

e) The permit shall not be valid for an address different from the address shown on the issued permit.

f) A current permit shall be on display at the center at all times.

g) The number of children specified on the permit shall be the maximum allowed in the facility at one time.

h) The day care center shall not begin operations until issuance of a permit has been recommended, in writing, by the licensing representative and supervisor.

i) A license shall be issued anytime within the six months period covered by the permit provided the facility achieves compliance with the standards prescribed by this Part.

j) There shall be no fee or charge for the permit.

Section 407.8 Organization and Administration

a) The members of the governing body of the day care center shall be legally responsible to the Department for maintaining the standards set forth in this Part. The members of the governing body shall be of reputable and responsible character as attested by the three personal references required by Section 407.4(b)(4). The governing body may delegate responsibility for day-to-day compliance with the standards.

b) The governing body shall file with the Department written policies outlining any delegation of responsibility for compliance with this Part and lines of communication between the governing body, facility staff and parents.

c) There shall be current written statements, publicly available, covering the sponsorship, purposes, and goals of the service, a description of the program and operating policies, procedures and forms.

1) Prior to enrollment, the parents shall be provided information about the program and given an opportunity to observe during the hours of operation.

2) The following information shall be in writing, available to child care staff, given to and discussed with the parent(s) or guardian at the time of a child's enrollment:

A) Name(s), business address and telephone number of those persons legally responsible for the program and of those

persons having immediate responsibility for the daily conduct of the program;

B) Statement of services, purposes and goals;
C) Description of the daily program;
D) Fees and plan for payment;
E) Policies regarding delinquent fees;
F) Types of insurance coverage for children;
G) Admission, enrollment, and discharge policies and procedures:
   i) Hours of operation
   ii) Information regarding part-time enrollment, if applicable
   iii) Holiday and vacation schedules
H) Arrangements for arrival and departure of children (time, location, transportation);
I) Provision for emergency medical care, treatment of illness and accident, which includes:
   i) A plan to obtain prompt services of physician and hospitalization, if needed.
   ii) A plan for immediately notifying the parent or guardian of any illness, accident or injury to the child.
   iii) A plan to acquire the services of a certified practitioner for a child exempt from medical care on religious grounds.
J) Formal religious observance or instruction, if any;
K) Visits, trips, or excursions off the premises;
L) Procedures concerning personal belongings brought to the center;
M) Policy regarding release of personal information on the child or family; and
N) Planned means of communication between the center and the parent(s).

d) The facility shall distribute a summary of the licensing standards, provided by the Department, to the parent(s) or guardian of each at the time that the child is accepted for care in the facility. A summary of licensing standards shall be issued to the parent(s) or guardian of each child currently in care within sixty (60) days of the effective date of this rule. In addition, consumer information materials provided by the Department including, but not limited to, information on reporting and prevention of child abuse and neglect and preventing and reporting communicable disease, shall be distributed to the parent(s) or guardian or each child cared for when designated for such distribution by the Department. Each child's record shall contain a statement signed by the child's parent(s) or guardian, indicating that they have received a summary of licensing standards and other materials designated by the Department for such distribution.

e) Through interaction with the licensing representative, parents, and children and through the operation of the day care center in compliance

with requirements of this Part, the governing body and staff shall demonstrate a working knowledge of the Child Care Act of 1969, as amended, the Abused and Neglected Child Reporting Act as amended, (Ill. Rev. Stat. 1981, ch. 23, pars. 2051 et seq.) and standards prescribed by this Part which affect their particular functions or responsibilities.

f) The governing body shall be responsible for recruiting, hiring, and maintaining staff as required by this Part.

g) The governing body, or others designated in writing to represent the facility, shall immediately notify the Department of any major changes affecting areas of the facility's operations regulated by this Part. Such major changes include, but are not limited to, governance, location, physical plant, finances, staff and equipment needed to meet requirements of this Part.

h) Authorized representatives of the Department shall be admitted to the center during the hours of operation for the purpose of determining compliance with The Child Care Act of 1969 and standards set forth in this Part.

i) The parent(s) or guardian shall be permitted to visit the facility, without prior notice, during the hours their child(ren) is/are in care.

j) A day care center having more than four employees shall have written personnel policies available to staff at all times. These may include, but are not limited to, job description, salary, wages, pay dates, fringe benefits, social security, worker's compensation, unemployment insurance, holidays, sick time, vacations, probationary periods, grievance procedures, promotions, termination of employment, and performance evaluation.

k) The facility shall carry public liability insurance in the single limit minimum amount of $100,000 per occurrence.

(Source: Amended at 8 Ill. Reg., effective January 1, 1985.)

Section 407.9 Finances

a) The day care center shall maintain a degree of financial solvency to assure compliance with the standards prescribed in this Part. A center is considered insolvent if its financial condition is such that the sum of its debts is greater than all of its property, at a fair valuation, exclusive of property transferred, concealed or removed with intent to hinder, delay or defraud its creditors. (This definition of "insolvency" is based on the definition contained in the United States Bankruptcy Code of 1978, 11 U.S.C. 1011.)

b) The center shall maintain records which shall include projected and current operating budget.

c) Financial records shall be maintained and kept in the State of Illinois where they shall be available for licensing review.

Section 407.10 General Requirements for Personnel

a) Staff shall generally have the skill and competence necessary to contribute to each child's physical, intellectual, personal, emotional, and social development. Factors contributing to the attainment of this standard include:

1) Emotional maturity when working with children.

2) Willingness to cooperate with the aims of the facility.

3) Respect for children and adults.

4) Flexibility and patience.

5) Physical and mental health which do not interfere with child care responsibilities.

6) Good personal hygiene.

b) Child care staff, in addition to meeting the requirements of Section 407.10(a), shall generally demonstrate skill and competence necessary to assume direct responsibility for child care.

1) Child care staff shall demonstrate the skills to help children meet their developmental and emotional needs.

2) Child care staff shall demonstrate skill in planning, directing, and conducting programs that meet the children's basic needs.

3) Child care staff shall be willing to participate in activities leading to professional growth in child development.

c) No individual shall be in contact with children cared for in a day care center who, within the preceding 10 years:

1) Has been identified through circuit court (juvenile, criminal, civil) proceedings as having been a perpetrator of child abuse, child neglect, or child sexual abuse or through the Department's investigatory process in accordance with the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1981, ch. 23, pars.2051 et seq.) as having been a perpetrator of an indicated incident of child abuse, child neglect, or child sexual abuse; or

2) Is awaiting an investigative decision or trial on such charges.

3) For the purposes of Section 407.10c)1) identification through circuit court proceedings includes:

A) Specific findings by a court that a child's neglect or dependency is the result of physical abuse inflicted by a parent, guardian or legal custodian.

B) Criminal convictions and civil judgments regardless of the type of sentence imposed or amount of damages recovered for offenses relating to child abuse, child neglect or child sexual abuse resulting from jury trials, bench (court) trials or voluntary guilty pleas.

d) Except as stated in Section 407.10(c) an individual convicted of a crime will not automatically be prohibited from contact with children cared for in a day care center solely because of the conviction. Instead, the governing body or its authorized representative shall consider the following:

1) The type of crime for which the individual was convicted;

2) The number of crimes for which the individual was convicted;

3) The nature of the offense(s);

4) The age of the individual at the time of conviction;

5) The length of time that has elapsed since the last conviction;

6) The relationship of the crime and the capacity to care for children;

7) Evidence of rehabilitation; and

8) Opinions of community members concerning the individual in question.

e) Newly employed staff shall present the report of a physical examination which took place no more than six months prior to employment which provides evidence that they are free of communicable diseases, including active tuberculosis, or physical or mental conditions which could affect their ability to perform assigned duties.

f) Cooks, kitchen helpers, and others assisting in the preparation, serving and handling of food and cooking/serving utensils shall make their positions known to the examining physician, and shall comply with the rules and regulations of the Illinois Department of Public Health pertaining to Food Service Sanitation (77 Ill. Adm. Code 750).

g) Staff shall have physical re-examinations every two years, and whenever communicable disease or illness is suspected.

h) A staff member experiencing fever, sore throat, vomiting or diarrhea shall not be responsible for food handling or the care of children.

i) Except during the first hour of operation daily, the center shall have at least one staff member trained in the administration of first-aid on duty at all times.

Section 407.11 Child Care Director

a) Except during the center's first hour of operation daily, the child care director or a designated employee meeting the requirements of this Section shall be at the facility at all times.

b) A qualified individual shall be designated as full-time director of each facility.

1) The child care director shall be at least 21 years of age.
2) The child care director shall have a high school diploma or equivalency certificate.
3) In addition to meeting the requirements of Section 407.10, the child care director of a facility serving the same number of groups of preschool and school age children or more groups of preschool children than groups of school age children shall have achieved:
   A) Two years of credit from an accredited college or university with 18 semester or equivalent quarter hours in courses related directly to child care and/or child development from birth to age six; or
   B) Two years (3120 clock hours) of child development experience in a nursery school, kindergarten, or licensed day care center, one year of college credits with 10 semester or equivalent quarter hours in courses related directly to child care and/or child development, and proof of enrollment in an accredited college or university until two years of college credit have been achieved. A total of 18 hours in courses related directly to child care and/or child development is required to be obtained within the total two years of college credits; or
   C) Completion of the credentialing program of the CDA National Credentialing Award System (The Child Development Associate, 1982) with a current credential as a Child Development Associate, completion of 12 semester or equivalent quarter hours in courses related to child care and/or child development from birth to age six at an accredited college or university, and 2 years (3120 clock hours) child development experience in a nursery school, kindergarten or licensed day care center.
4) In addition to meeting the requirements of Section 407.10, the child care director of a facility serving more groups of school age children than groups of preschool children shall have achieved:
   A) Two years of credit from an accredited college or university with 18 semester or equivalent quarter hours in courses related to child care and/or child development, including courses related to school-age children; or
   B) Two years (3120 clock hours) of child development experience in a recreational program or a licensed day care center serving school-age children, one year of college credits with 10 semester or equivalent quarter hours in courses related directly to child care and/or child development, and proof of enrollment in an accredited college or university until two years of college credit have been achieved. A total of 18 hours in courses related directly to child care and/or child

development, including courses related to school-age children, is required to be obtained within the total two years of college credits.

5) Completion of a teacher training program accredited by the American Montessori Society or Association Montessori Internationale may be substituted for the courses directly related to child care and/or child development required by this Section. Persons holding a Montessori pre-primary credential may supervise children through age 6; persons holding a Montessori primary or elementary credential may supervise children 6 years of age or older.

6) Persons who are currently employed as a director and who meet the qualifications of the position at the time of their most recent employment are considered qualified. Persons who are currently employed as directors and are working toward becoming fully qualified for the position of director under the standards in force at the time of their most recent employment must continue to work to meet those qualifications until completed and shall complete them within two years of the effective date of this rule.

c) The child care director shall be responsible for the planning and supervision of the program and activities of the children; orientation to newly employed staff; on-site supervision of all staff; and in-service training totaling a minimum of 15 clock hours per year for each member of the child care staff. Orientation and training shall include health and safety procedures, planned program activities, and meal patterns at the center; and special health, developmental or nutritional needs of children assigned to individual child care staff.

d) Day care centers licensed for fifty or fewer children, or half-day programs with children attending no longer than three consecutive hours per day regardless of capacity, may employ a child care director who serves also as child care worker. Where the director serves in both capacities, he/she must meet the qualifications of child care director. When the director must attend to non-teaching responsibilities, his/her group must be supervised by a person qualified to be in charge of a group.

(Source: Amended at 8 Ill. Reg., effective January 1, 1985.)

Section 407.12 Child Care Workers and Group Workers

a) Child care workers shall be at least 19 years of age.

b) Child care workers shall have a high school diploma or equivalency certificate.

c) In addition to meeting the requirements of Section 407.10, the child care worker responsible for a group of children under age six shall have achieved:

1) Two years of credits from an accredited college or university with six semester or equivalent quarter hours in courses related

directly to child care and/or child development, from birth to age six; or

2) One year (1560 clock hours) child development experience in a nursery school, kindergarten, or licensed day care center and one year of credits from an accredited college or university with six semester or equivalent quarter hours in courses related directly to child care and/or child development, from birth to age six; or

3) Completion of the credentialing program of the CDA National Credential Award System (The Child Development Associate, 1982) with a current credential as a Child Development Associate (CDA).

d) Group workers shall be at least 19 years of age and at least five years older than the oldest child with whom they work.

e) In addition to meeting the requirements of Section 407.10, the newly employed group worker responsible for a group of school-age children shall have achieved:

1) Two years of credits from an accredited college or university with six semester or equivalent quarter hours in courses related directly to child care and child development for school-age children; or

2) One year (1560 clock hours) of experience working directly with school-age children and six semester or equivalent quarter hours from an accredited college or university in psychology, recreation or child development; or

3) A high school diploma or equivalency certificate plus two years of full-time experience in a field related to programming for school-age children.

f) Completion of a teacher training program accredited by the American Montessori Society or Association Montessori Internationale may be substituted for the courses directly related to child care and/or child development required by this Section. Persons holding a Montessori pre-primary credential may supervise children through age 6; persons holding a Montessori primary or elementary credential may supervise children 6 years of age or older.

g) Persons who are currently employed with the responsibilities of a child care worker or group worker and who meet the qualifications of the position or a comparable position at the time of their most recent employment are considered qualified. Persons who are currently employed with the responsibilities of child care worker or group worker and are working toward becoming qualified for the position of child care worker or group worker or a comparable position under the standards in force at the time of their most recent employment must continue to work to meet those qualifications until completed and shall complete them within two years of the effective date of this rule.

h) Child care workers and group workers shall be responsible for the planning and supervision of a group of children. Child care workers and group workers shall also be responsible for supervising persons assigned to assist their group who are not similarly qualified.

Section 407.13 Child Care Assistants

a) Child care assistants shall meet the requirements of Section 407.10, with the exception of subsection (b).

b) Child care assistants shall have a high school diploma or equivalency certificate (GED).

c) Child care assistants shall work under the direct supervision of a child care worker or group worker and shall not assume full responsibility for a group of children.

Section 407.14 Use of Students

a) Students in a field study placement, a practicum, or vocational child care training program may assist in the care of the children only under the direct supervision of a child care worker or group worker.

b) Students 14 years of age or older who assist in the classroom must be at least 5 years older than the oldest child for whom they care and may not be counted for purposes of maintaining the child/staff ratio except as provided in Subsection 407.14(c).

c) Students who have completed one year of a vocational child care training program and are 16 years of age or older who assist in the classroom must be at least 5 years older than the oldest child for whom they care. These students may be child care assistants when they regularly work less than four hours per day, except during vacation periods, when they may not work more than six (6) hours per day. In these cases they may be counted for purposes of maintaining child/staff ratio requirements provided the number of students does not exceed one-third of the total staff required to be present at any one time.

d) Employment or use of students shall not be in violation of the Illinois Child Labor Law (Ill. Rev. Stat. 1981, ch. 48, pars. 31.1 et seq) or the child labor provisions of the federal Fair Labor Standards Act (29 U.S.C. 214).

e) A plan for student participation shall be mutually agreed upon, in writing, by the staff, the representative from the educational institution, and the student participant where students are enrolled in a vocational child care training program, a field study placement, or a practicum course. The written plan shall be in the student's personnel file within the facility.

f) There shall be a written agreement regarding the procedures for terminating an unsatisfactory student.

(Source: Amended at 8 Ill. Reg., effective June 15, 1984.)

Section 407.15 Service Staff

a) Service staff shall have the same personal qualifications as required of other staff (Section 407.10a).

b) There shall be sufficient service staff so that assignment of service duties shall not interfere with the child care staff's responsibilities for the direct care of the children.

Section 407.16 Substitutes and Volunteers

a) Substitutes shall have the same personal, health, administrative, and professional qualifications required of staff for whom they substitute.

b) Persons agreeing to be available as substitutes or for use in emergencies shall sign a written statement, kept on file in the facility, certifying to their availability and agreement to serve in this capacity. This file shall be kept current.

c) Volunteers shall meet the same personal and health requirements required of other staff (Section 407.10).

d) Volunteers may serve in any capacity for which they are qualified.

Section 407.17 Background Inquiry

As a condition of issuance or renewal of a license by the Department, the day care center shall require all prospective and current employees who have direct contact with children to furnish written information on any offenses for which they have been convicted in accordance with 89 Ill. Adm. Code 358: Background Inquiry for Purchase of Service Providers. The governing body, at its discretion, may require volunteers and subcontractor employees who have direct contact with children to respond to written questions about their backgrounds.

Section 407.18 Admission and Discharge Procedures

a) The center staff shall ensure that admission procedures provide sufficient information to enable the parent and the child care staff to make decisions or act on behalf of the child with regard to his or her life at the facility. Admission data obtained shall be on file at the facility and shall include:

   1) Identifying information and social and personal information to describe the child, recorded as prescribed in Section 407.32, Records and Reports.

   2) Reports of health examinations, unless waived in accordance with Section 407.29(a).

   3) Professional evaluations required for admission of children with special needs.

4) Signed consent forms from parents, guardian, or persons designated by the parents in writing, including:

A) Health care and treatment, including emergency first aid.

B) Formal religious instruction, if applicable.

C) Use of photographs of children for publicity purposes, if applicable.

D) Visits, trips or excursions off the premises, when appropriate.

E) Child's involvement in research, if applicable.

F) Daily release of the child.

G) Participation in athletic activities such as swimming or gymnastics.

H) Use of facility transportation, if applicable.

b) The center shall admit only those children eligible under the facility's written admission policies.

c) Evidence of child abuse shall be reported immediately to authorities as required by the Abused and Neglected Child Reporting Act, as amended (Ill. Rev. Stat. 1981, ch. 23, pars. 2051 et seq).

d) Children served in the day care center shall not remain on the premises for more than 12 hours in any 24-hour period.

e) Children shall be admitted and discharged under circumstances which ensure protection of their own and other children's physical and emotional well-being.

1) The staff shall be alerted to the child's arrival and given the information necessary to help make the child's initial adjustment as comfortable as possible.

2) The staff shall understand and consider the child's individual background and needs.

3) The staff directly responsible for the child shall be alerted to any personal circumstances which may require special handling.

4) Any child who, after attempts have been made to meet the child's individual needs, demonstrates inability to benefit from the type of care offered by the facility, or whose presence is detrimental to the group, shall be discharged from the facility.

5) In all instances, when a facility decides that it is in the best interest of the child to terminate enrollment, the child's and parents' needs shall be considered by planning with the parent(s) to meet the child's needs when he or she leaves the facility, including referrals to other agencies or facilities.

6) The child care staff shall conduct a daily, pre-admissions screening to determine if the child has obvious symptoms of illness. If symptoms of illness are present, the child care staff shall determine whether or not to provide care for the child, depending upon the apparent degree of illness, other children present, and facilities available to provide care for the ill child.

7) Any child in attendance who becomes ill or who is suspected of illness shall be immediately isolated from the group and shall be removed from the facility as soon as possible.

8) A child who does not appear to be fully recovered from an illness shall not be readmitted to the center unless there is a statement by an attending physician that the child is able to return and participate in the activities of the facility.

f) A child shall be discharged from the facility only to the child's parent(s) or guardian or to a person designated in writing by the parent(s) or guardian to receive the child.

g) The staff shall refuse to release a child to any person, whether related or unrelated to the child, who has not been authorized, in writing, by the parent(s) or guardian to receive the child. Persons not known to the staff shall be required to provide a driver's license (with photo) or photo identification card issued by the Illinois Secretary of State to establish their identity prior to a child's release to them.

h) When a child is released, in accordance with the written instructions of the parent(s) or guardian, to a person other than the parent(s) or guardian, the facility shall maintain a record of to whom the child was released, and the date and time that the child was released.

i) Other discharge provisions of this Section notwithstanding, a child leaving the day care center to attend school shall be released in accordance with the written authorization of the parent(s) or guardian. Such authorization shall include the time that the child is to be released and the means of transportation the child is to use.

Section 407.19 Discipline

a) The facility staff shall use disciplinary measures designed and carried out in such a way as to help individual children develop self-control and to assume responsibility for their own acts.

1) Simple, understandable rules shall be established in writing for both children and staff. These rules shall set the limits of be-

havior required for the protection of the group and individuals within it.

2) Discipline shall be the responsibility of adults who have an ongoing relationship with a child.

3) Discipline shall be developmentally related to the child's act and shall not be out of proportion to the particular inappropriate behavior. The child shall be made aware of the relationship between the act and the consequences.

4) Removal from the group as a means of helping a pre-school child gain control shall be for periods not to exceed 15 minutes per occurrence.

5) If there is an assessment of a child's pattern of unacceptable behavior, the entire staff shall be aware of it and cooperate in carrying out the specific plan developed for him or her.

6) Firm, positive statements about or redirection of behaviors shall be the effective controlling techniques used with infants and toddlers.

7) Discipline shall encourage self-discipline, including, when appropriate, allowing school-age children to solve their own interpersonal conflicts.

b) No child shall be subjected, under any circumstances, to corporal punishment inflicted in any manner upon the body or to verbal abuse, or be deprived of regularly scheduled meals or any part of meals as punishment, or punished for toilet accidents.

c) Methods of discipline and means of managing the behavior of a child which are not cited in this Section shall be in accordance with 89 Ill. Adm. Code 384: Discipline and Behavior Management in Child Care Facilities.

Section 407.20 Personal Care and Hygiene

a) A child's wet or soiled clothing shall be changed immediately.

b) Children's hands shall be washed before and after meals and after toileting.

c) Children shall have shower, tub or sponge baths to ensure bodily cleanliness when necessary.

d) Toilet articles such as comb, brush, toothbrush, towels, and washcloths used by children shall be individually provided by parent(s) or facility, plainly marked and stored individually in a sanitary manner in areas which promote drying. Single-use and disposable articles are acceptable.

Section 407.21 Program

a) Each child shall be recognized as an individual whose personal privacy, choice of activities, cultural, ethnic, and religious background shall be respected.

b) The staff of the facility shall demonstrate that the parents are encouraged to visit the facility and observe and participate in the experience of their children.

c) The program shall include opportunities for a child to have free choice of activities to play alone, if desired, or with one or several chosen peers.

d) The facility shall provide a basic program of activities geared to the age levels and developmental needs of the children served. The daily program shall be posted, and shall provide:

1) Regularity of such routines as eating, napping, and toileting with sufficient flexibility to respond to the needs of individual children;

2) A balance of active and quiet activity;

3) Daily indoor and outdoor activities in which children make use of both large and small muscles;

4) Occasional trips and activities away from the facility (frequency to be determined by the day care center);

5) A supervised nap period for children under six years of age who remain five or more hours. This nap period for the group should not normally exceed two and one-half hours. Children who remain for as long as four consecutive hours shall have a supervised rest period.

e) The daily program of the facility shall provide experiences which promote the individual child's growth and well-being and the development of self-help and communication skills, social competence, and positive self-identity.

f) Program planning shall provide the following:

1) A variety of activities which takes into consideration individual differences in interest, attention span, and physical and intellectual maturity;

2) Sufficient time for activities and routines, so that the children can manage them and progress at their own developmental rate;

3) Sufficient materials and equipment to avoid excessive competition and long waits;

4) Program planning so that the children are not always required to move from one activity to another as a total group.

5) A program that avoids long waiting periods between activities and prolonged periods during which the children must stand or sit; and

6) Provision for privacy through arranging a small, quiet area that is easily accessible to the child who seeks or needs time to be alone.

g) The program shall take into account the stress and fatigue that result from constant pressures and stimulation of long hours in a group living situation.

h) Activity areas, equipment, and materials shall be arranged so that staff can be easily aware of the child's presence and activity at all times.

i) Equipment shall be arranged in orderly, clearly defined areas of interest, with sufficient space in each area for the children to see various activities available to them.

j) Staff assignments shall be such that children experience comfortable, ongoing relationships with adults; every attempt shall be made to establish a primary relationship between each child and one adult.

Section 407.22 Equipment and Materials

a) Equipment and materials for both indoor and outdoor use shall be appropriate to the age and developmental needs of the children served. Such equipment and materials for infants, toddlers and pre-school children shall be provided in the quantity and variety specified in Appendix C (Minimum Equipment and Supplies - Pre-School Programs) and Appendix D (Minimum Equipment and Supplies - Infant and Toddler Programs).

b) Outdoor equipment shall be placed so as to avoid collisions and accidents while still permitting freedom of action by the children.

c) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.

d) There shall be a soft, resilient surface or a pad under all climbing equipment from which children may fall.

e) Sandboxes shall be covered when not in use and shall be cleaned daily of animal fecal matter if present.

f) Outdoor storage shall be available for equipment not permanently secured to the ground unless indoor storage space is available.

g) Healthy household pets which present no danger to children are permitted on the premises unless prohibited by local health regulations. A licensed veterinarian shall certify that the animals are free of diseases

that could endanger the children's health and that dogs and cats have been inoculated for rabies.

1) All animals shall be physically separated from children both indoors and outdoors except as a portion of a specifically planned program activity under the direct supervision of a staff member.

2) Immediate treatment shall be obtained for any child who sustains a bite or scratch from an animal and the child's parent(s) shall be notified. In addition, the county animal control administrator, or designated agent, shall be notified and provisions of the Illinois Animal Control Act (Ill. Rev. Stat. 1981, ch. 8, pars. 351 et seq.) shall be followed.

Section 407.23 Grouping and Staffing

a) The facility shall provide staff to ensure the care and safety of the children at all times.

1) The ratio of child care staff to children present at any one time shall be as follows:

Age	Staff	Children
Infants (6 wks. to 15 mos.)	1	4
Toddlers (15 mos. to 2 years)	1	5
2 years	1	8
3 years	1	10
4 years	1	10
5 years & kindergarten	1	20
School-age	1	20

Mixed Ages	Staff	Children
2-3 years	1	8
2-5 years	1	8
3-4 years	1	10
3-5 years	1	10
4-5 years	1	10
School-age	1	20

2) The total number of children in any one group shall not exceed the following maximum number at any one time:

Infants	12
Toddlers	15
Infants/Toddlers	14
two to three year olds	16
two to four year olds	16
two to five year olds	16

three to four year olds	20
three to five year olds	20
four to six year olds	20
six year olds and older	30

3) The following exception to Section 407.23(a) is permitted: a child care worker or group worker aided by a child care assistant, may supervise a group of up to 30 children 5 years of age or older. However when the number of school-age children in a group exceeds 20, the group shall be supervised by a group worker.

4) Facilities licensed for 10 or fewer three to five year old children operating with only one regular staff person shall provide:

A) A daily assistant to help at those times when attention must be given to activities other than direct care of children;

B) At least two persons who can respond to a call and be on the premises within five minutes, so that the adult in charge will not have to leave the children unattended;

C) A substitute who shall be familiar with the children and program.

b) The facility shall have developed a staffing plan which organizes the staff and enables them to give continuity of care and supervision to the children on a day-by-day basis.

1) Staff changes shall be minimized so that the child can experience consistent relationships with as few adults as possible.

2) Staff shall be aware of the presence and activities of the children under their care.

3) Substitutes shall be provided for staff needed to meet the requirements of this Part.

4) Substitutes shall visit the facility to become generally familiar with the program in advance of the time they may be called.

5) With the exception of infants and toddlers, children may be under the direct supervision (staff in the same room) of 50% of the staff required by this Section during nap times, provided the required staff-to-child ratio is maintained on the premises. Infants and toddlers shall be under the direct supervision of staff required by this Section at all times.

6) Children shall not be left unattended at any time.

(Source: Amended at 8 Ill. Reg., effective June 15, 1984.)

Section 407.24 Nutrition

a) Food requirements for children between 6 weeks and the age of eating table food shall be geared to the needs of the individual child and determined by consultation with the parents.

b) The main meal for children between birth and the age of eating table food shall be nutritionally balanced, conforming to age-appropriate portions and variety as reflected on the Meal Pattern Chart for Children 0 to 12 Months of Age, (Appendix A) unless otherwise indicated by parent(s) in consultation with a physician.

c) Children one year of age and older in attendance for more than two but less than five hours shall be served a mid-session snack consisting of one-half cup of pure fruit juice or full-strength canned or frozen fruit juice which contains at least 30 miligrams of vitamin C per serving, or one to one-half cup of pasteurized milk, or one serving of citrus fruit. If the child's hours at the facility coincide with any meals and snacks that are provided by the facility, the child shall be served those meals and snacks.

d) Children one year of age and older who are in attendance five to ten hours shall be served a quantity of food that will supply 1/3 to 1/2 of their recommended dietary allowances. This shall include a mid-morning and a mid-afternoon snack which conforms to Section 407.24(c) and a nutritious meal conforming to age-appropriate portion reflected in the Meal Pattern Chart For Children Over One Year of Age (Appendix B).

e) The main meal shall be a hot meal, except during the months of June through September when a cold meal conforming to Meal Pattern Chart (Appendix B) may be substituted.

f) A snack in conformance with Section 407.24 (c) shall be served to school-age children when they arrive at the facility after school.

g) Children who come to the facility from school for a lunch program shall be served a nutritionally balanced meal in accordance with the Meal Pattern Chart (Appendix B).

h) School-age children shall be served alone or with younger children if this can be accomplished without disruption to the ongoing program.

i) Menu requirements:

1) Menus shall be planned, dated, and posted for one week in advance, and corrected as served. Corrected menus shall be on file at the center and available for review by the licensing representative. Current menus shall be posted.

2) Menus shall be planned with consideration for cultural and ethnic patterns, but must also be nutritionally equivalent to the requirements of this Section.

3) Catered foods shall meet the requirements of this Section.

4) Lunches shall not be brought from home as a substitute for a meal provided by the facility. Picnic lunches which conform to Meal Pattern Chart for Children Over One Year of Age (Appendix B) may be served.

j) Provisions of this Section notwithstanding, a child requiring a special diet due to medical reasons, allergic reactions, or religious beliefs shall be provided meals and snacks in accordance with the child's needs and the written instructions of the child's parent(s), guardian, or a licensed physician. Such instructions shall list any dietary restrictions/requirements and shall be signed and dated by the child's parent(s), guardian, or physician requesting the special diet. The center may request the parent(s) or guardian to supplement food served by the center. When food is supplied by the parent(s) or guardian, the center shall be responsible for assuring that it is properly stored and served to the specific child in accordance with the diet instructions on file at the center. Records of food intake shall be maintained when indicated by the child's physician.

k) Food service requirements:

1) Children shall be served small servings of bite-size pieces.

2) All meals shall be suitable for children and shall be prepared by methods designed to conserve nutritive value, flavor, and appearance.

3) Adults shall sit at the tables with the children during meals.

4) Delays in food service shall be avoided so that children do not have to sit and wait.

5) Meals shall be relaxed and unhurried.

6) Children shall not be forced to eat.

7) Tables, chairs, dishes, glasses, and eating utensils shall be of design and size suitable for children of the age served.

l) The facility shall have drinking water freely available to all children. Water shall be offered at intervals to infants and toddlers.

m) Drinking fountains and/or disposable cups for individual use shall be provided.

(Source: Amended at 8 Ill. Reg., effective June 15, 1984.)

Section 407.25 Night Care

a) A center receiving children for night care shall comply with standards for all day care centers except when inconsistent with the special requirements prescribed by this Section.

b) Staff counted for purposes of meeting child/staff ratio requirements shall be awake at all times.

c) Each child shall have an individual cot, bed, or crib equipped with comfortable bedding appropriate to the indoor room temperature and maintained in sanitary and safe condition.

d) Each child shall have an individual washcloth, towel, toothbrush, comb or brush, and sleepwear furnished either by the center or the child's parent(s).

e) The night care program shall facilitate a relaxed atmosphere characterized by informal quiet activities.

1) Scheduling shall reflect the need for regularity in meeting basic needs such as relaxation, meals, self-care, and sleep.

2) Evening activities shall be primarily self-selected by individuals. Selections shall be chosen from activities such as, but not limited to, outdoor play, reading, lounging, study, table games, group games, conversation, listening to music, watching television, dramatic play, and art.

3) Self-care routines shall include:

A) Brushing teeth at bedtime or upon rising;

B) Brushing the hair upon rising; and

C) A routine for toileting scheduled at bedtime and upon rising.

4) Sleeping arrangements shall be such that the children who stay all night are not disturbed by the departure of those who stay only a portion of the night.

f) An evening meal shall be served at a regular time each evening to all children then in attendance, and shall be available to other children who may arrive without having first eaten.

g) A bedtime snack shall be served to each child.

h) Breakfast shall be provided for all children who have been at the facility throughout the night and are present between 6:30 and 8:30 a.m.

Section 407.26 Children with Special Needs

a) A center receiving children with special needs shall comply with standards for all day care centers except when inconsistent with the special requirements prescribed in this Section.

b) There must be written evidence on file that resource personnel with appropriate expertise have been consulted and their recommendations considered in planning program activities for children identified as having special needs.

c) Recommendations made by the resource personnel and designed into a program plan by the resource team for the child with special needs shall be implemented. The resource team shall consist of the director, direct child care staff, and registered, licensed, and/or certified resource personnel such as physicians, psychologists, social workers, speech therapists, physical and occupational therapists, educators, and other technical and professional personnel, as indicated by the child's special needs.

d) All program recommendations from resource persons related to a child's special needs shall be evaluated and reviewed at least twice a year.

e) Parents shall be fully informed and in agreement with all procedures undertaken in relation to the child's needs.

f) When a facility agrees to accept a child with special needs who attends school, school records shall be obtained by the facility, and communication with school personnel and parents regarding the child's special needs and progress shall be maintained.

g) Building and equipment shall be designed so that every child can make maximum use of the facility as safely and as independently as possible.

   1) The facility areas to be utilized by a child with special needs shall be adapted as necessary to accommodate special devices which may be required to function independently.

   2) Minimum space requirements per child with special need(s) shall be 35 square feet.

   3) A special area shall be maintained for the purpose of providing privacy for diapering, dressing, and other personal care procedures.

h) Persons rendering special professional services to these children must be registered according to state registration and/or certification laws currently in effect, if applicable, or must function under the direction of a person so qualified. (See Appendix E for professions requiring license or registration.)

i) When a facility serves eight or more children with special needs, the identified staff person or persons directly responsible for planning and coordinating activities for these children shall have achieved training at the college and/or university level which includes:

   1) A course that deals with normal child development;

   2) A course that deals with problems and treatment of exceptional children.

j) The staff serving children who require special program services shall receive in-service training that relates to the specific needs of the children served.

k) When children with special needs are served as a group, the ratio of child care staff to the number of children served shall be 1:4. This ratio excludes student helpers under 18 years of age and adults who are also served in the program.

l) Medical consultation and direction shall be available to staff. Other medical services, such as direct medical care to the child, shall be administered as required by a physician, subject to receipt of appropriate releases from parents. These shall be on file for each child for administration of any and all prescribed medicine.

m) Individual records shall be made available to parents and shall include information needed to assist the staff in planning effectively to meet each child's needs, and shall be kept confidential. No record or portion thereof shall be transferred without written parental permission.

1) The individual record shall include:

A) All assessments;

B) Program recommendations;

C) Program provisions to meet recommendations;

D) Program evaluations; and

E) Program adjustments as indicated by the evaluations.

2) Facilities shall make known to the parents that records are available.

Section 407.27 Infants and Toddlers

a) A center receiving children within the infant and toddler age range shall comply with standards for all day care centers, except when inconsistent with the special requirements prescribed by this Section.

b) A center serving infants and toddlers shall have a licensed physician, registered nurse, licensed practical nurse or licensed physician's assistant with training or experience in infant care to instruct child care staff in the proper health care of infants and toddlers. The person shall visit the facility to observe the child care techniques of the staff and provide in-service training. Visits shall be at least weekly during the permit period and monthly thereafter.

c) A facility for infants and toddlers shall have sufficient indoor and outdoor space and appropriate furniture to provide for support functions necessary to the program.

1) Separate space for infants and toddlers shall be available away from older children except in facilities enrolling 10 or fewer children.

2) When infants play and sleep in the same room there shall be a minimum of 25 square feet of space per child for play area plus a minimum of 30 square feet of space per child for sleeping area, with at least two feet between each crib or cot.

3) When infants play and sleep in separate rooms there shall be a minimum of 25 square feet of play space per child and a minimum of 30 square feet of space per child for sleeping area with at least two feet between each crib or cot.

4) When toddlers play and sleep in the same room using stackable cots there shall be 35 square feet of space per child.

5) When toddlers play and sleep in the same room using cribs there shall be a minimum of 55 square feet of space per child. However, when children are in their cribs there must be a minimum of two feet between the cribs.

6) When toddlers play and sleep in separate rooms there shall be a minimum of 35 square feet of play space per child and a minimum of 30 square feet of space per child for sleeping with at least two feet between each cot or crib.

7) A sink or lavatory for the infant/toddler program shall be easily accessible for the use of staff for hand washing and for use by the children.

8) A toilet for the infant/toddler program shall be easily accessible so that the contents of cloth diapers, if used, may be disposed of before placing diapers in the diaper pail.

9) One toilet with training seat, child-size toilet or potty chair shall be provided for every three toddlers being toilet-trained.

10) No extension cords shall be used in areas accessible to children. All electrical cords not in use with supervision of an adult shall be unplugged and the outlets covered.

11) There shall be a heating unit for warming bottles and food accessible only to adults.

12) Safe, sturdy, well-constructed individual free-standing cribs, portable cribs, or playpens used for sleeping shall be equipped with good, firm, fitting mattresses made of materials that can be washed. Stacking cots constructed of washable materials or full-size cribs shall be provided for toddlers.

13) There shall be no more than 1½ inches of space between the mattress and bedframe when the mattress is pushed flush to one corner of the crib.

14) A refrigerator shall be available and easily accessible to the children's room.

15) Conveniently located, washable, plastic-lined covered receptacles shall be provided for soiled diapers and linens.

d) Indoor and outdoor play materials and equipment suitable for staff to use with infants and toddlers to stimulate learning, growth, health, and development shall be provided.

1) Equipment and play materials shall be durable and free from characteristics that may be hazardous or injurious to infants and toddlers. Hazardous or injurious characteristics include sharp, rough edges; toxic paint; and objects small enough to be swallowed.

2) Equipment and play materials shall be maintained in sound, clean condition at all times.

e) Care of the children shall be given in such a manner as to ensure that the health and safety needs, as well as the nurturing requirements, of the children are met.

1) Diapering and toileting:

A) Infants and toddlers shall be diapered in their own cribs, at a central diapering area on a surface that is sanitized after each use, or on a disposable paper sheet which is disposed of after each diapering.

B) The child's hands shall be washed prior to the anal area with a clean, damp, soapy cloth, then rinsed with a second clean cloth in the same order.

C) The fecal contents of the diaper shall be disposed of into a flushing toilet, with the diaper then being placed in a diaper pail.

D) Adults shall wash hands with soap and running water after each diaper change.

E) Bathroom odors shall be controlled.

F) There shall be a parent-staff consultation prior to toilet training.

2) Feeding:

A) Hands of staff members shall be washed and dried with individual or disposable towels before each feeding of individual children. Each child's hands shall be washed and dried with individual or disposable towels before each feeding.

B) Flexible feeding schedule of infants shall be established to coordinate with parents' schedules at home and to allow for nursing infants.

C) Infants up to 6 months of age shall be held while being bottle fed. Infants of more than 6 months may be held, if needed. Bottles shall not be propped at any time. When infants are old enough to hold their own bottles, they may feed themselves without being held. The bottle must be removed once the child has fallen asleep.

D) If the child's formula is brought in by the parent it shall be labeled and placed in the refrigerator.

E) Foods stored or prepared in jars shall be served from a separate dish for each infant. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the infant's name, dated, refrigerated, and served within 24 hours or discarded.

F) Children shall be allowed and encouraged to feed themselves. Supportive help to the child from the staff shall be maintained for as long as the child needs such help.

3) Sleeping:

A) Each child shall be placed in a separate bed that has the child's name visible.

B) Very young infants who cannot turn over alone shall be placed on their abdomen for their naps and immediately after a feeding unless a physician has ordered otherwise.

C) Sheets shall be changed when soiled. All sheets shall be changed routinely two times per week.

D) All beds shall be wiped clean as often as necessary and cleaned twice a week with a germicidal solution.

E) All beds shall be thoroughly cleaned when each child is no longer enrolled in the nursery. At no time will two children be allowed to share the same bed during their time of enrollment unless it is thoroughly cleaned between each child's use.

F) Routines, such as naps and feeding, shall take into consideration parents' information and wishes about the routines followed in the home.

4) Sanitary procedures:

A) All cooking and feeding utensils shall be washed after each use.

B) Toys and equipment shall be cleaned daily with a germicidal solution.

C) A child's toilet seat or potty shall be cleaned and sanitized after each use.

f) Infants and toddlers shall be provided a daily program that is designed to meet the developmental needs of children of this age.

1) The same staff member shall feed, diaper, and play with a child every day so as to establish interaction and to establish continuity in the child's relationship with as few adults as possible.

2) Children shall be free to creep, crawl, toddle, and walk as they are physically able.

3) Children shall be taken outdoors for a portion of every day, weather permitting.

4) A variety of toys shall be accessible on low open shelves for the children to use and these shall be rotated with stored toys.

5) For those infants who cannot move about the room, the staff shall frequently change the place and position of the child and the selection of toys available.

6) Information shall be kept and made available to parents when the child is picked up at the end of the day. This shall include information important for parents to know, such as facts of feeding and elimination.

7) Opportunities for interaction with parents, brothers and sisters, other relatives, and older children in the facility shall be provided for and encouraged on a continuing basis.

g) The daily program for infants and toddlers shall provide experiences which promote the individual child's growth and well-being in the development of gross and fine motor skills, sensory learning, language, cognition, and positive self-concept.

h) Infants who are awake shall be moved to different positions at least every 30 minutes and shall be held, rocked, and carried about.

i) Self-care such as washing, dressing, toileting, brushing, and combing shall be encouraged as each child shows evidence of ability to do so.

Section 407.28 School-Age Children

a) A center receiving children within the school-age range shall comply with standards prescribed for all day care centers except when inconsistent with the special requirements prescribed by this Section.

b) The facility shall provide a designated area so that the older children's presence shall not interfere with the needs and care of younger children.

c) Clear definitions of legal responsibility and procedures shall be established between parent, facility and school when children move to and from school.

1) A parent shall be legally responsible for the child enroute unless transportation is provided by the facility or the school.

2) Procedures shall be established and agreed upon in writing by the parents, the school and the facility including, but not limited to:

A) Children leaving the facility to go to school;

B) Children leaving school to go to the facility;

C) Children leaving the facility; and/or

D) Children leaving school for regular school activities or visiting friends.

d) Indoor equipment shall be available so as to provide for active and quiet play appropriate to the age levels and developmental needs of the children.

e) Outdoor equipment appropriate to the developmental levels of the children in care shall be provided, including sports equipment, outdoor games and activities.

f) The facility shall provide a program and activities that recognize the developmental and educational needs of school-age children who need group care before and after school.

1) Quiet activities such as, but not limited to, puzzles, small games, reading books, simple art or special projects, and opportunities to do homework shall be accessible on a free choice basis to children waiting in the facility to leave for school during the morning hours.

2) Children who have been in school all day shall have time set aside for relaxation and recreation immediately upon arrival from school.

3) Opportunity shall be available for the development of skills in areas such as, but not limited to, sports, art, and music.

4) Special projects outside the confines of the facility shall be provided, such as trips to the library.

5) The program shall be flexible to allow the children to participate in after-school activities sponsored by the school.

Section 407.29 Health Requirements for Children

a) A medical report, on forms prescribed by the Department, shall be on file for each child and shall be dated no earlier than 6 months prior to enrollment.

1) The medical report shall be valid for two years, except that subsequent examinations for school-age children shall be in accordance with the requirements of the Illinois School Code (Ill. Rev. Stat. 1981, ch. 122, par. 27-8.1), provided copies of the exam are on file at the facility.

2) A tuberculin test shall be included in the initial exam only.

3) The report shall indicate that the child has been immunized as required by the Rules and Regulations of the Illinois Department of Public Health for immunizations. These required immunizations are poliomyelitis, measles, rubella, diphtheria, mumps, pertussis and tetanus.

4) In accordance with the Child Care Act of 1969, as amended, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

5) Exceptions made for children who for medical reasons should not be subjected to immunizations or tuberculin test shall be so indicated by the physician on the child's medical form.

b) Necessary medications may be administered to a child at the facility provided that:

1) The facility shall maintain a record of the dates, hours, dosages, and the name of the person administering them;

2) Prescription medications shall be labeled with the child's name, directions for administering the medication, the date and the physician's name, the prescription number, and drug store or pharmacy;

3) The medications shall be administered as required by a physician subject to the receipt of appropriate releases from parents, and these shall be on file for each child for the administration of any and all prescribed medications;

4) Nonprescription medication may be administered upon written parental permission. Such medication shall be administered in accordance with package instructions, and, except for aspirin and

aspirin substitute, shall be labeled with the child's name and dated.

5) Medications shall be kept in locked cabinets or containers which are in an area well-lighted and out of reach of children even if medications must be refrigerated.

6) The following additional procedures shall be followed for infants and toddlers:

A) A bulletin board or clipboard shall be placed in a visible position with the child's name, medication times, and prescription number listed on the board. Also listed shall be the name of the person administering the medication.

B) Each time the medication is given, the medication time shall be crossed off the board.

C) The same person on a shift shall be responsible for administering medication.

(Source: Amended at 8 Ill. Reg. , effective June 15, 1984.)

Section 407.30 Transportation

a) A center providing transportation services shall comply with the driver licensing, Rules of the Road, financial responsibility, vehicle equipment and vehicle inspection provisions of the Illinois Vehicle Code (Ill. Rev. Stat. 1981, ch. 95½ pars 6-101, 6-102, 7-100 et seq, 11-100 et seq and 12-100 et seq).

b) The driver of a vehicle transporting children on behalf of a day care center shall be at least 21 years of age.

c) The driver and attendants shall meet the requirements of Section 407.10.

d) The driver shall not leave the vehicle unattended at any time while transporting children.

e) The driver shall see that each child boards and leaves the vehicle from the curb side of the street and/or is safely conducted across the street.

f) The driver shall see that a responsible person as designated by the child's parent(s) or guardian is present to take charge of a child when delivered to his home or to the center.

g) The driver shall see that order is maintained in the vehicle for safety of the children in transit.

h) The number of children transported in a vehicle shall not exceed the manufacturer's rated passenger capacity.

i) A driver alone may transport 2 infants or 3 toddlers, and shall be assisted by an adult attendant for each additional 1 to 3 infants or 1 to 4 toddlers.

j) A driver alone may transport 8 children between 2 and 5 years of age, and shall be assisted by an adult for each additional 1 to 9 children between 2 and 5 years of age.

k) When infants or toddlers are transported with children over 30 months of age or when children over 5 years of age are transported, the staff-to-child ratio shall be in accordance with Section 407.23.

l) Age-appropriate safety restraints which are federally approved and labeled as such shall be used at all times when transporting children in vehicles having a gross weight of less than 10,000 pounds, except that individual safety restraints shall not be required when children ride as passengers in taxicabs or common carriers or public utilities operating under the jurisdiction of the Illinois Commerce Commission. "Age-appropriate safety restraint" for a child under four (4) years of age means a child restraint system (infant carrier, infant/toddler seat, or convertible safety seat); "age-appropriate safety restraint" for a child four (4) years of age or older means a child restraint system or seat belt (lap belt or lap-shoulder belt combination).

m) A vehicle used by the center to transport children shall be maintained in mechanically safe condition at all times.

n) Any vehicle designed for the transportation of more than 10 persons (including the driver) shall be equipped with a first aid kit when used for transporting children. The first aid kit shall consist of Band-Aids, sterile gauze pads, 40-inch triangular bandage with two safety pins, wire or wood splint, adhesive tape, scissors and instructions for use of the contents of the kit.

(Source: Amended at 8 Ill. Reg., effective January 1, 1985.)

Section 407.31 Plant and Equipment

a) The physical facilities provided both indoors and outdoors shall protect the health and safety of children.
   1) The building housing a center shall be approved prior to occupancy and license renewal by the Illinois Department of Public Health and the Office of the State Fire Marshal or local agencies authorized by those State agencies to conduct inspections on their behalf. Otherwise, inspection and approval shall be in accordance with the regulations of the proper health and fire authorities.
   2) The building or portion of the building to which children from the center have access shall be used only for a program of child care during the hours that the center is in operation. This shall not be construed to mean that the space used for the program cannot be shared by other groups or persons when the children enrolled are not present.
   3) There shall be a posted emergency plan for evacuation, and monthly fire drills shall be conducted at the center for the purpose of

removing children from the center as quickly as possible. Records shall be maintained of the dates and times fire drills are conducted.

4) In facilities established after the effective date of this rule, infants and toddlers shall be housed and cared for at ground level. Travel distance between any point in a room used for infants and toddlers and an exit discharging directly outside shall not exceed 150 feet.

5) The program shall be modified, as needed, when there are adverse environmental conditions caused by weather, heating or cooling difficulties, or other such problems.

b) There shall be sufficient indoor space to conduct the program.

1) There shall be a minimum of 35 square feet of activity area per child in centers for normal children two years of age and older. This space is exclusive of exit passages and fire escapes, which must be clear. This space is also exclusive of administrative space, storage areas, bathrooms, kitchen, space required for equipment that is not used for direct activities with children, and gymnasiums or other areas used exclusively for large muscle activity or active sports.

2) During nap time, there shall be at least two feet of space on at least two sides between cots.

3) Storage space shall be provided for cots, bedding, and other equipment.

4) One room, no matter how large, shall accommodate only one group, except that room dividers or program equipment at least 3'6" in height may be used to define and separate the space for each group of children up to age five. Gymnasiums and similar sized areas may accommodate two groups, without dividers, when used for large muscle activity and active sports.

5) All rooms or spaces accommodating more than one group shall be provided with an acoustical ceiling or its equivalent in carpeting or wall covering. If carpeting is used to control noise, it shall not be required in water play, painting, and similar areas.

c) Indoor space shall provide a safe, comfortable environment for the children.

1) Adjustable window shades, drapes, or venetian blinds shall be provided.

2) The floors and floor coverings shall be washable and free from drafts, splinters, and dampness.

3) Toxic paints or finishes shall not be used on walls, window sills, beds, toys or any other equipment, materials or furnishings which may be used by children or within their reach. Peeling or damaged paint or plaster shall be repaired promptly to protect children from possible hazards.

4) Any thermal hazards (radiators, hot water pipes, steam pipes, heaters) in the space occupied by children shall be out of the reach of children or be separated from the space by partitions, screens, or other means.

5) Sharp scissors, knives, matches, lighters, flammable liquids, drugs, power tools, cleaning supplies and any other such items which might be harmful to children shall be kept in areas inaccessible to children.

6) The facility shall be well ventilated, and shall maintain a temperature of not less than 68 degrees Fahrenheit and not more than 74 degrees Fahrenheit measured 3 feet above the floor. Relative humidity shall be maintained at between 35 and 60 percent.

7) Areas where children read, paint, or participate in other activities requiring close eye work shall be provided with a minimum of 50 foot candles measured 2 feet above the floor. Artificial light sources shall be protected from hazards of breakage by installation of covers or shields. Other areas may be provided with foot candles of varying intensity, depending on the usage; the average foot candles for the entire classroom area shall be at least 30 foot candles measured 2 feet above the floor.

d) A safe outdoor play area shall be provided.

1) The outdoor play area shall accommodate 25 percent of the licensed capacity at any one time.

2) There shall be a minimum of 75 square feet of safe outdoor play area per child for the total number of children using the area at any one time.

3) Play space shall be safely enclosed or otherwise protected from traffic and other hazards.

4) Protective surface, such as, but not limited to, grass, P-gravel, and mulching shall be provided in areas where climbing apparatus is used.

5) There shall be provided a surface that is suitable for children's wheeled vehicles and pull toys.

6) Play areas shall be well drained and maintained in a safe, clean, and sanitary manner.

7) There shall be open and sheltered areas to permit children to enjoy activities in either sun or shade and to protect them from excessive exposure.

8) If an area not connected with the facility, such as a public park or playground, is used for play or recreation, the children shall

be closely supervised both during play and while traveling to and from the area.

e) Toilets and lavatories shall be readily accessible to the children.

1) If toilets and lavatories are not child-sized, safe steps shall be provided.

2) Hot and cold running water shall be provided.

3) Mild soap and individual towels shall be available and used. Towels may be disposable.

4) Hot water supplied to lavatories, bathing facilities, and other plumbing fixtures used by children shall be tempered or thermostatically controlled to less than 120°F.

5) The following ratios of lavatories and toilet facilities shall be provided.

Number of Children in day care facility	Toilets-Lavatories	
1 to 10	1	1
11 to 25	2	2
26 to 50	3	3
51 to 75	4	4
76 to 100	5	5
101 to 125	6	6
126 to 150	7	7
151 to 175	8	8

6) Toilet and handwashing areas for school-age children shall provide for privacy.

7) Toilets shall be within close proximity to the children's activity areas. If this is not possible in existing facilities, an adult shall accompany children four years of age and younger.

f) Toilet and lavatories shall be readily accessible to the staff.

g) Kitchen sinks used for food preparation shall neither be used as handwashing lavatories, nor included in the total number of handwashing lavatories required.

h) Space shall be provided for a child who becomes ill at the center. Such space shall be ventilated and heated; equipped with a cot and materials that can be easily sanitized; and shall be within sight and hearing of an adult.

i) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of a public water supply, the center shall

supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for infants.

j) Swimming and wading pools shall be safely maintained and supervised.

1) All swimming pools, whether at the facility or elsewhere, shall meet the Minimum Sanitary Requirements for the design and operation of swimming pools and bathing beaches of the Illinois Department of Public Health (to be codified at 77 Ill. Adm. Code 820).

2) All in-ground or above-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 3½" in height and secured with a locked gate.

3) When children are swimming, supervision shall at all times include at least one person currently certified as a lifeguard or water safety instructor by the American Red Cross (Lifesaving: Rescue and Water Safety, Prepared by American Red Cross, 1981) or equivalent water safety program.

4) All staff, volunteers, and other adults who are counted in the staff/child ratio for swimming shall receive basic water safety instruction from the person certified in life saving per Section 407.31(j)(3).

5) The following staff/child ratio shall be maintained when children are swimming, whether at the facility swimming pool or at other public or private swimming pools, lakes, parks, or recreational swimming facilities:

age	staff	children
infants/toddlers	1	1
2 years	1	4
3 years	1	6
4 years	1	8
5 years	1	10
school-age	1	15

6) Portable wading pools, splash pools, and other basins used for water play (activities) which are not required to be licensed by the Illinois Department of Public Health shall be emptied after use and cleaned with a germicidal solution before being air-dried.

k) Kitchen areas shall be clean and equipped for preservation, storage, preparation, and serving of food. Provision shall be made for the cleaning and sanitation of dishes.

l) All garbage and refuse within the center shall be collected daily and stored in a manner that will not permit the transmission of disease, create a nuisance or a fire hazard, or provide harborage for insects, rodents or other pests.

1) An adequate number of covered, durable, water-tight, insect/rodent-proof garbage and refuse containers shall be provided for use.

2) Garbage and refuse containers used to discard diapering supplies, food products, or disposable meal service supplies shall be cleaned daily with a germicidal solution unless plastic liners are used and disposed of daily.

m) Insect and rodent control shall be maintained.

1) All outside doors, operable windows, and other openings shall be screened. Doors with operable self-closing devices do not have to be screened.

2) Chemicals for insect and rodent control shall not be applied in areas accessible to children when children are present in the facility.

n) The facility shall be cleaned daily and kept in a sanitary condition at all times.

1) The facility shall provide necessary cleaning and maintenance equipment.

2) Toys, table tops, furniture, and other similar equipment used by children shall be washed when they become soiled or contaminated with matter such as food, body secretions, or excrement.

3) Cleaning equipment, cleaning agents, aerosol cans, and other hazardous chemical substances shall be stored in a space designated solely for this purpose and shall be inaccessible to children.

4) Exit areas shall be kept clear of equipment and debris at all times.

5) There shall be no smoking in food preparation areas or in child care areas when children are present.

6) Major cleaning shall not be done while children are present.

7) Water tables and toys used in water tables shall be emptied daily and cleaned with a mild germicidal solution before being air-dried.

o) Facilities shall provide a separate crib, bed, or cot and individual sheets and other bedding.

1) Cots, cribs, or beds used by children in a day care facility may be used for other children at night if separate sets of clean sheets and other bedding are provided to each user.

2) Clean sheets and blankets shall be provided at least once a week or as frequently as needed when wet or soiled.

3) Waterproof mattress covers or undersheets for cribs, beds, or canvas cots shall be provided for all children who are bedwetters.

4) Each cot, bed, or crib shall be identified with the name of the child.

5) Bed linens shall be tightly fitting and washable.

p) Facilities and equipment shall be kept in safe repair so as not to expose children to hazardous situations.

1) Any interior or exterior painted surface including walls, floors, ceilings, equipment, toys, furnishings, and cribs shall be maintained in good order free of lead paint.

2) Electrical outlets within the reach of children up to age 5 shall be covered or be otherwise shockproof.

q) Furnishings and equipment shall be durable, safe and scaled to the size of the children.

1) Child-size chairs shall be provided for pre-school children.

2) Tables shall be of appropriate height and of a size to accommodate comfortably a small group of not more than 8-10 children.

3) Individual lockers, cubicles, or separate hooks and shelves shall be provided for the children's personal belongings.

4) Low, open shelves for play materials and books shall be provided and within easy reach of the children.

5) Storage for surplus toys and supplies not currently in use shall be provided.

6) A cot must be provided for each preschool-age child in an all-day program. Floor pillows, sofa, carpet, bean bag chairs, or padded chairs shall be provided for school-age children for lounging or resting.

7) A first aid kit and a chart or handbook of first aid instructions shall be available for staff use. The first aid kit shall consist of band-aids, sterile bandages, sterile compresses, adhesive tape, scissors, mild soap, magnifying glass with needles and tweezers for removing splinters.

r) There shall be means for communication for emergency purposes.

1) An operable telephone shall be on the premises, easily accessible for use in an emergency and other communications.

2) A list of emergency telephone numbers, such as the fire department, police department, and emergency medical treatment, shall be posted next to the telephone.

3) Facilities operating on two or more floors shall have intercom service or other means of formal communications between floors.

(Source: Amended at 8 Ill. Reg., effective January 1, 1985.)

Section 407.32 Records and Reports

a) A facility shall maintain a record file on the children enrolled.

1) A written application for admission of each child shall be on file with the signature of the parent or guardian.

2) An alphabetic card or register on each child shall be maintained and shall include:
   A) Name, date of birth, and sex;
   B) Date of admission and discharge;
   C) Scheduled days and hours of care;
   D) Name(s) of parent(s) or guardian(s), home address and business address and telephone numbers, marital status, and the working hours of the parent(s) or guardian(s);
   E) Name, address and telephone number of child's physician (or, if applicable, of certified Christian Science Practitioner);
   F) Name(s), addresses and telephone numbers of others authorized to pick up the child; and
   G) Names, addresses, and telephone numbers of others to contact within the immediate area if parents or guardian cannot be contacted in case of emergency.
   H) Information regarding the child's personal development, habits, medical needs, and other information critical to the child's well-being.

3) Accidents or illnesses which have occurred to the child at the facility shall be recorded in the file. When a child is not permitted to attend the facility because of an accident or illness, the date of readmission to the facility shall be recorded.

4) All required health and medical reports as required by Section 407.29.

5) Written agreements and consents as required by Section 407.18a shall be in the child's record file.

6) A statement signed by the parent(s) or guardian indicating receipt of a summary of licensing standards and other materials as required by Section 407.8(d) shall be in the child's record file.

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b) A facility shall maintain accurate daily attendance records on all children enrolled. If a child attends on a part-time or irregular basis, this shall be recorded in the attendance record.

c) Records shall be maintained on all employees and shall contain all pertinent information relative to character, suitability, and qualifications for the position; health; three character references verified by the day care center; history of employment for the previous five years; date of employment by the day care center; and, if applicable, date and reason(s) for separation from the day care center.

d) The day care center shall maintain a separate file of responses to the background inquiry required by Section 407.17 and 89 Ill. Adm. Code 358: Background Inquiry for Purchase of Service Providers.

e) Records of student helpers shall include name, home address, telephone number and a copy of the last medical exam from the school. In addition, the record maintained by the center shall include the name of the school, name and telephone number of the faculty member responsible for each student, the course in which the student is enrolled, and who at the facility is responsible for supervising the student.

f) The day care center shall maintain financial and other business records essential to the operation of the facility.

g) The facility shall maintain and submit when requested by the Department accurate information and statistics on children enrolled in the facility.

h) The day care center shall enter in the child's record and orally report immediately to the child's parent, guardian, and the Department any serious occurrences involving children. Oral reports shall be confirmed in writing within two working days of the occurrence. If the center is unable to contact the parent, guardian or Department immediately, it shall document this fact in the child's record. These occurrences include serious accident or injury requiring extensive medical care or hospitalization; death; arrest; alleged abuse or neglect; major fire or other emergency situations.

i) The Department shall be notified within seven days, in writing, if notice is received of legal action against the facility.

j) Evidence of child abuse or neglect shall be reported immediately in accordance with the Abused and Neglected Child Reporting Act. (Ill. Rev. Stat. 1981, ch. 23, para. 2051 et seq.)

k) The facility shall maintain and submit reports on staff and volunteers to the Department on forms provided by the Department.

   1) An individual report on each new employee (including owner, operator, or directors) shall be filed with the Department; a copy of this report shall be kept at the facility.

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2) All staff changes shall be reported to the Department immediately.

3) Copies of documentation of medical information, verification of educational achievement, and character references of employees shall be provided upon request by the Department.

l) The facility shall promptly report any known or suspected case or carrier of communicable disease to local health authorities, and shall comply with the Illinois Department of Public Health's Rules and Regulations for the Control of Communicable Diseases (1977).

m) Authorized Department licensing representatives or other Department representatives who have the Director's written authorization which specifies the statutory authority or administrative rule under which the access is granted shall have access to records and reports. All persons who have access to the records and reports shall respect their confidential nature.

(Source: Amended at 8 Ill. Reg., effective January 1, 1985.)

Section 407.33 Confidentiality of Records and Information

a) The facility personnel shall respect the confidential nature of the child and personnel records.

b) Information pertaining to the admission, progress, health, or discharge of an individual child shall be confidential and limited to facility staff designated by the Child Care Director and Department representatives unless the parent(s) of the child has granted written permission for disclosure or dissemination.

1) The facility shall have confidentiality release forms signed by the parent(s) which specify to whom information may be released and how long the release form is valid. Such release forms shall be on file at the facility prior to the release of confidential information.

2) If information is requested by outside persons or agencies, a specific written request signed by the person requesting the information shall be obtained and placed on file at the facility prior to the release of the information.

3) Except in extreme emergency or when there is evidence of child abuse or neglect, any child 12 years of age or older must be informed of such disclosure of information.

Section 407.34 Records Retention

a) Personnel, general and financial records required of the day care center shall be maintained for five years. Children's records shall be maintained for five years after the child has been discharged from care or services.

b) The provisions of this Section notwithstanding, records required by this Part shall be maintained until all audits have been completed and no litigation is pending or anticipated.

Section 407.35 Severability of This Part

If any court of competent jurisdiction finds that any rule, clause, phrase, or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

APPENDIX A
MEAL PATTERN CHART FOR CHILDREN 0 - 12 MONTHS OF AGE

MEAL	Ages 0-4 Months	Ages 4-8 Months	Ages 8-12 Months
BREAKFAST			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces*
Infant Cereal (iron fortified)	0	1-3 tablespoons	2-4 tablespoons
SNACK (Supplement)			
Infant Formula (iron fortified)	4-6 ounces	2-4 ounces	2-4 ounces
or full strength fruit	0	2-4 ounces	2-4 ounces
or whole fluid milk	0	0	2-4 ounces
Enriched or whole-grain bread	0	0-1/4 slice**	0-1/4 slice**
or cracker-type product (suitable for infants)	0	0-2 crackers**	0-2 crackers**
LUNCH OR SUPPER			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces*
Infant Cereal (iron fortified)	0	1-2 tablespoons	
strained fruit and/or vegetable (to total)	0	1-2 tablespoons	3-4 tablespoons
Strained meat, fish, poultry, or egg yolk	0	0-1 tablespoon**	1-4 tablespoons
or cheese	0	0-1/2 ounce**	1/2-2 ounces
or cottage cheese, cheese food, or cheese spread	0	0-1 ounce**	1-4 ounces

* or 6-8 ounces of whole milk and 0-3 ounces of full strength fruit juice

** These items are suggested, not required. Parents should ask their doctor if they have questions about what their baby should eat.

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APPENDIX B

MEAL PATTERN CHART FOR CHILDREN OVER ONE YEAR OF AGE

	BREAKFAST			LUNCH/SUPPER		
	Ages			Ages		
	1 to 3	3 to 6	6 to 12	1 to 3	3 to 6	6 and older[1]
MILK						
Milk, fluid	1/2 cup[2]	3/4 cup	1 cup	1/2 cup[2]	3/4 cup	1 cup
VEGETABLES AND FRUITS[4]						
Vegetable(s) and/or fruit(s)	1/4 cup	1/2 cup	1/2 cup	1/4 cup total	1/2 cup total	3/4 cup total
or						
Full-strength vegetable or fruit juice or an equivalent quantity of any combination of vegetable(s), fruit(s), and juice.	1/4 cup	1/2 cup	1/2 cup			
BREAD AND BREAD ALTERNATES[3]						
Bread	1/2 slice	1/2 slice	1 slice	1/2 slice	1/2 slice	1 slice
or						
Cornbread, biscuits, rolls, muffins, etc.	1/2 serving	1/2 serving	1 serving	1/2 serving	1/2 serving	1 serving
or						
Cold dry cereal	1/4 cup or 1/3 oz.	1/3 cup or 1/2 oz.	3/4 cup or 1 oz.			
or						
Cooked cereal	1/4 cup	1/4 cup	1/2 cup			
or						
Cooked pasta or noodle products	1/4 cup	1/4 cup	1/2 cup			
or						
Cooked cereal grain or an equivalent quantity of any combination of bread/bread alternate	1/4 cup	1/4 cup	1/2 cup			
Cooked pasta or noodle products or cooked cereal grains or an equivalent quantity of any combination of bread/bread alternate				1/4 cup	1/4 cup	1/2 cup
MEAT AND MEAT ALTERNATES						
Lean meat or poultry or fish[5]				1 oz.	1 1/2 oz.	2 oz.
or						
Cheese				1 oz.	1 1/2 oz.	2 oz.
or						
Eggs				1 egg	1 egg	1 egg
or						
Cooked dry beans or peas				1/4 cup	3/8 cup	1/2 cup
or						
Peanut butter or an equivalent quantity of any combination of meat/meat alternate				2 tbsp.	3 tbsp.	4 tbsp.

[1]Children age 12 and up may be served adult-size portions based on the greater food needs of older boys and girls, but shall be served not less than the minimum quantities specified for children age 6 up to 12.

[2]For purposes of the requirements outlined, a cup means a standard measuring cup.

[3]Bread, pasta, or noodle products and cereal grains shall be whole-grain or enriched. Cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour. Cereal shall be whole-grain or enriched or fortified.

[4]Serve 2 or more kinds of vegetable(s) and/or fruit(s). Full strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.

[5]Cooked lean meat without bone.

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APPENDIX C
MINIMUM EQUIPMENT AND SUPPLIES PRESCHOOL PROGRAMS FOR EVERY 20 CHILDREN

(Quantity of equipment is to increase in proportion to licensed capacity of facility)

	PERMIT	LICENSE (additional equipment and supplies)
Furniture:	1. Sufficient tables and chairs with backs for children (one chair per child – no folding chairs). 2. One cot per licensed capacity. 3. First-aid kit. 4. Cot with blanket (for ill child). 5. Chairs with backs (for staff). 6. Low open shelves and bookcases (one foot per child). 7. Space/equipment for maintenance of children's records. 8. Individual spaces for outer clothing. 9. Area rug or carpeting.	
Active, large-muscle Play: (for indoors)	1. Large building blocks (May be of non-durable material) – at least 24. 2. Two pieces of durable large-muscle equipment per every 20 children such as: climber rocking boat triangle set tunnel walking plank wheel toys	1. Durable large building blocks –at least 48 per every 20 children. 2. Three pieces of durable large-muscle equipment per every 20 children.
Active, large-muscle Play: (for outdoors) (See Section 407.31d)	1. Two pieces of durable large-muscle equipment such as: climber slide large wheel toys swing sand-box water play materials balls	1. Three pieces of durable large-muscle equipment
Art and music activities:	1. Phonograph 2. Records - At least six 3. One double easel.	2. Records - At least ten. 3. Double easels – one for each 15 children 4. Rhythm band.

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PRESCHOOL PROGRAMS (Continued)

	PERMIT	LICENSE (additional equipment and supplies)
Dramatic Play:	1. Small blocks – at least 200 pieces. 2. Three small durable transportation toys. 3. One spontaneous dramatic play area with at least two pieces of permanent equipment: pretend area work bench (wood-work and tools) housekeeping area: e.g., doll bed, stove, sink, refrigerator, cupboard, etc. 4. Accessories: dolls, dishes, pots and pans.	2. Six small durable transportation toys per every 20 children for block area. 3. At least two areas for spontaneous dramatic play, each having at least three pieces of equipment. 4. At least one full-length mirror. 5. Dress-up clothes.
Ponder Play:	1. Books – one per every child. 2. Puzzles – one per every four children. 3. Cognitive games – one per every four children: e.g., number concepts, letter concepts, shape concepts, size concepts, color concepts.	1. Two per every child. 2. One per every two children. 2a. Puzzle rack. 3. One per every two children. 4. Science items: e.g., magnet, magnifying glass, pets, plants.
Expendable supplies:	1. Clay or playdough. 2. Tempera or finger paints (non-toxic). 3. Paper (colored and white). 4. Paste (non-toxic). 5. Scraps – collage materials. 6. Paint brushes. 7. Crayons. 8. Blunt scissors. 9. Aprons – smocks.	
Fine-motor Development:	1. Manipulative toys – one per every four children: e.g., pegs and pegboards, beads and strings, interlocking plastic forms, puzzles, nesting blocks. 2. Sand or water play equipment.	1. One per every three children.
Language Development:	1. Pictures. 2. Bulletin boards. 3. Flannel board and flannel sets.	
Food Service Supplies:	1. Dishes, silverware, and cups, if meals are to be served.	

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APPENDIX D

MINIMUM EQUIPMENT AND SUPPLIES INFANT AND TODDLER PROGRAMS FOR EVERY 20 INFANTS AND TODDLERS

(Quantity of equipment is to increase in proportion to licensed capacity of facility)

	INFANT PROGRAMS	TODDLER PROGRAMS
Furnishings:	1. Sufficient infant-sized tables and chairs with backs for infants able to sit alone. One chair per infant; no folding chairs. 2. One crib with mattress and blanket per infant in attendance. 3. Ten-unit first-aid kit. 4. Crib with mattress and blanket for ill infant. 5. Chairs with backs (for staff). 6. Low open shelves and bookcases (one foot per child). 7. Space and equipment for maintenance of children's records. 8. Adult rocker. 9. Individual space for outer clothing. 10. High chairs. 11. Infant seats. 12. Baby walkers (optional). 13. Bathing tub. 14. Changing table with changeable covering. 15. Diaper pail with liners. 16. Area rug or carpeting. 17. Play pens (optional). 18. Gates as needed for safety. 19. Refrigerator.	1. Same as furniture for preschool programs plus: 2. Training chairs. (Stackable cots may be substituted for napping.) 13. Bathing tub. 14. Changing table with changeable covering. 15. Diaper pail with liners. Toilet with training seat, child-size toilet or potty chair. 18. Gates as needed for safety.
Active large-muscle play:	1. Large building blocks (may be of non-durable material) — at least 20 2. Five pieces of durable large-muscle equipment for every 20 infants such as: Baby bouncers Large turning balls Body wheels Riding stools 3. Large open plastic ball. 4. Water-play equipment	SAME AS PRESCHOOL PROGRAMS. 2. Five pieces of durable, large-muscle equipment for every 20 toddlers, such as: Two-step slide Rocking boat Indoor gym house Swing Tunnel Climber

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INFANT AND TODDLER PROGRAMS (Continued)

	INFANT PROGRAMS	TODDLER PROGRAMS
Art and music activities:	1. Phonograph 2. Records – at least six. 3. Musical pull-toys. 4. Rattles. 5. Drum (without stocks).	SAME AS PRESCHOOL PROGRAMS.
FINE MOTOR DEVELOPMENT:	1. Matching and feeling toys – one per every two children such as: plastic clutch toys form toys rattles pull toys feeling balls 2. Manipulative toys – one per every two children such as: teething toys wooden rattles shape toys clutch balls	SAME AS PRESCHOOL PROGRAMS.
Language Development:	1. Pictures. 2. Bulletin boards.	SAME AS PRESCHOOL PROGRAMS.
LINENS AND SUPPLIES:	1. For each crib: bumpers, sheets (cotton, plus rubber and/or plastic), blankets. 2. Bath towels. 3. Wash cloths. 4. Diapers. 5. Cover(s) for changing table. 6. Sterile cotton balls. 7. Facial tissues. 8. Soap. 9. Petroleum jelly or bland diaper-rash ointment. 10. Rubber-bulk ear syringe with blunt plastic or rubber tip. 11. Bottle warmer.	SAME AS PRESCHOOL PROGRAMS. 3. Wash cloths. 4. Diapers. 7. Facial tissues. 8. Soap. 9. Petroleum jelly or bland diaper-rash ointment.

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APPENDIX E

LICENSED OR REGISTERED PROFESSIONS

The following professions cited in this Part require license or registration in the State of Illinois:

1)	NURSE	Illinois Nursing Act (Ill. Rev. Stat. 1981, ch. 111, par. 3404.)
2)	PHYSICIAN	Medical Practice Act (Ill. Rev. Stat. 1981, ch. 111, par. 4409.)
3)	PHYSICIAN'S ASSISTANT	Physician's Assistants Practice Act (Ill. Rev. Stat. 1981, pars. 4751 *et seq.*)
4)	PHYSICAL THERAPIST	An Act in Relation to Physical Therapy (Ill. Rev. Stat. 1981, ch. 111, par. 4202.)
5)	PSYCHOLOGIST	Psychologist Registration Act (Ill. Rev. Stat. 1981, ch. 111, par. 5303.)
6)	SOCIAL WORKER	Social Workers Registration Act (Ill. Rev. Stat. 1981, ch. 111, par. 6304.)

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